

Tuesday, February 25, 2014

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

**PRESENT:** Supervisors: Frank R. Mecham, Adam Hill, Caren Ray, Debbie Arnold and Chairperson Bruce S. Gibson

**ABSENT:** None

**THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON BRUCE S. GIBSON.**

**Consent Agenda – Review and Approval:**

**1-19.** This is the time set for consideration of the Consent Agenda.

**Chairperson Gibson:** introduces Pismo Beach City Councilman Erik Howell as the newly appointed member to the Coastal Commission. Further, opens the floor to public comment without response.

The action taken for Consent Agenda items 1 through 19 on the following vote is indicated for each item.

**Motion by:** Frank R. Mecham  
**Second by:** Caren Ray

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Chairperson)	x			
Mecham, Frank R. (Vice Chairperson)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

**Consent Agenda - Administrative Office Items:**

**1.** Request to approve the FY 2013-14 Fish & Game project listing as recommended by the Fish and Games Fines Committee. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**2.** Request to approve an employment agreement with Guy Savage as the Assistant County Administrative Officer. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Auditor - Controller - Treasurer - Tax Collector Items:**

**3.** Submittal of the County of San Luis Obispo’s audited Comprehensive Annual Financial Report (Clerk’s File), Single Audit Report (Clerk’s File), and Agreed-Upon Procedures Report for the Los Osos Landfill Financial Means Test Certification for the Fiscal Year Ended June 30, 2013. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Board of Supervisors Items:**

**4.** Request to approve three appointments to the Law Library Board of Trustees. All Districts

**The Board approves as recommended by the County Administrative Officer.**

**5.** Request by Supervisor Mecham to reappoint Greg McMillan to the Shandon Cemetery District. District 1.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Clerk-Recorder Items:**

6. Request to approve the minutes of the Board of Supervisors meetings held during the months of August through December 2013. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Health Agency Items:**

7. Submittal of a resolution proclaiming February 25, 2014 as "Spay Day USA" in San Luis Obispo County. All Districts.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-43, adopted.**

8. Request to approve a FY 2014-17 three-year renewal agreement (Clerk's File) with the State Department of Health Care Services (DHCS) in an amount not to exceed \$5,400,000 for School-Based Medi-Cal Administrative Activities (SMAA) to access federal funding on behalf of San Luis Coastal, Lucia Mar, and Templeton Unified School Districts. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

9. Request to approve Amendment No. 1 to the contract with Aegis Medical Systems, Inc. for FY 2013-14 in the amount not to exceed \$740,447 to change the Contractor entity name to Aegis Treatment Centers LLC, with all other provisions of the contract remaining the same. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Planning & Building Items:**

10. Submittal of a resolution to accept an Avigation Easement from Cagliero, Glick, Ernst, Williams and Senn for the San Luis Obispo County Regional Airport. District 3.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-44, adopted.**

**Consent Agenda - Public Works Items:**

11. Submittal of a resolution establishing the 2014-15 Special Tax Rate and confirming the per parcel special tax amount in County Service Area No. 21, Bradford Road and Pierce Avenue Improvement Zone, Cambria. District 2.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-45, adopted.**

12. Submittal of a resolution establishing the 2014-15 Special Tax Rate and confirming the per parcel special tax amount in County Service Area No. 21, Orville Avenue Improvement Zone, Cambria. District 2.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-46, adopted.**

13. Submittal of a resolution establishing the 2014-15 Special Tax Rate and confirming the per parcel Special Tax Amount in Nipomo Lighting District, Zone E (Tract 1700, Los Pinos Estates). District 4.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-47, adopted.**

- 14. Submittal of a resolution establishing the 2014-15 Special Tax Rate and confirming the per parcel special tax amount in County Service Area No. 21, Camborne Place Road Improvement Zone, Cambria. District 2.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-48, adopted.**

- 15. Submittal of a resolution establishing the 2014-15 Special Tax Rate and confirming the per parcel special tax amount in County Service Area No. 21, Bradford Road Improvement Zone, Cambria. District 2.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-49, adopted.**

- 16. Submittal of a resolution establishing the 2014-15 Special Tax Rate and confirming the per parcel special tax amount in County Service Area No. 21, Madison Street Road Improvement Zone, Cambria. District 2.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-50, adopted.**

- 17. The following maps have been received and have satisfied all the conditions of approval that were established in the public hearings on the tentative maps: A. Parcel Map CO 06-0037 Phase 1 a proposed subdivision resulting in 2 lots, by The Village at Nipomo, LLC, a California Limited Liability Company, Mary Avenue, Nipomo, District 4; and B. Parcel Map CO 06-0037 Phase 2 a proposed subdivision resulting in 3 lots, by The Village at Nipomo, LLC, a California Limited Liability Company, Mary Avenue, Nipomo, District 4.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda Public Works - Board Sitting as Flood Control District:**

- 18. Request to approve the appointment of John Ashbaugh as member and Dan Carpenter as alternate on the Zone 9 Advisory Committee (San Luis Obispo Creek Watershed). Districts 2, 3, 4, and 5.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Social Services Items:**

- 19. Request to approve the appointment of James Patterson to the Homeless Services Oversight Council (HSOC). All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Public Comment Period:**

- 20. This is the time set for members of the public to address the Board on matters that are not scheduled on the agenda.

**Mr. Harvey Hunt:** speaks to the proposed Safe Routes to School (SR2S) Program for Crocker Street in Templeton.

**Dr. C. Hite:** comments on various issues in Los Osos and the County.

**Mr. Chuck Cesena - Los Osos Sustainability Group; Mr. Ben DiFatta:** discusses matters relative to the Los Osos Wastewater Project (LOWWP). Additionally, Mr. Cesena, addresses a comment made by

Chairperson Gibson. Further, Mr. DiFatta, comments on the upcoming election for District 2 Supervisor.

**Ms. Dee Torres:** announces the Culinary Carnival hosted by the Friends of Prado on February 27, 2014; and requests support for the warming station at the Prado Day Center.

**Mr. Eric Greening and Mr. Gary Kirkland:** speak to last week's action on the platform policy statement for the Paso Robles Groundwater Basin.

**Mr. Richard Margetson and Ms. Linde Owen:** address the upcoming town hall meeting in Los Osos. Additionally, Mr. Margetson comments on Chairperson Gibson and his campaign; and Ms. Owen, speaks to the LOWWP. **No action taken.**

#### **Board Business:**

- 21.** Update on Federal legislative activities by Mike Miller, the Ferguson Group. All Districts.

**Supervisor Ray:** addresses the need to add the South County Sanitation District to the Water and Natural Resources projects list.

**Chairperson Gibson:** opens the floor to floor to public comment.

**Mr. Eric Greening and Ms. Linde Owen:** speak.

**Supervisor Hill:** provides direction to add the following items to the issues watch list: 1) hazard materials and rail transport safety, and new regulations; and 2) fracking and any proposed federal guidelines. **No action taken.**

- 22.** Strategic Planning Presentation of "The State of Human Resources: Demographics, Trends and Opportunities – Meeting Today's Challenges and Preparing for the Future."

**Chairperson Gibson:** opens the floor to public comment without response and receives and files the presentation.

#### **Hearings:**

- 23.** Hearing to consider a resolution to approve: 1) the activities for funding under the 2014 Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and the Emergency Solutions Grant (ESG) Programs; 2) the Urban County of San Luis Obispo 2014 Action Plan of the Consolidated Plan (Clerk's Filed); and 3) homeless related activities for County General Fund. All Districts.

(This item is amended, per the addendum to the agenda, to: A) replace the subject line as follows: "Hearing to 1) approve the activities for funding under the 2014 Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and the Emergency Solutions Grant (ESG) Programs; 2) adopt a resolution approving and authorizing submittal of the Urban County of San Luis Obispo 2014 Action Plan of the Consolidated Plan (Clerk's File); and 3) review homeless related activities for the County General Fund Support. All Districts."; B) replace the recommendation as follows: "It is recommended that the Board: 1) Approve activities under CDBG, HOME and ESG funding levels as shown in the attached Exhibit A; 2) Adopt the attached resolution approving and authorizing submittal of the Urban County of San Luis Obispo Program Year 2014 Action Plan to the U.S. Department of Housing and Urban Development and 3) Review the General Fund Support allocations for the homeless related activities"; and C) replace attachment 2, Exhibit A, to reflect the City of Arroyo Grande CDBG recent allocation changes. REQUIREMENTS OF THE BROWN ACT HAVE BEEN SATISFIED AS THIS NOTICE WAS POSTED PRIOR TO THE 72-HOUR NOTICING REQUIREMENT.)

(SUPERVISOR HILL RECUSES HIMSELF FROM THIS ITEM AND IS NOW ABSENT.)

**Ms. Suzan Ehdaie – Planning and Building:** amends Exhibit A, under Housing, Project No. 3, to correct a clerical error to the name of the Mobile Home Park. The correct name should read "Sunny Oaks

Mobile Home Park” not “Los Osos Oaks Mobile Home Park.”

**Chairperson Gibson:** opens the floor to public comment.

**Ms. Anna Lisa Lukes – GRID Alternatives Regional Director; Mr. Maurice Priest – Resident Owned Parks Inc. President; Mr. Richard Margetson; and Mr. Gary Kirkland:** speak.

The Board amends Exhibit A, under Housing, Project No. 3, by correcting the name of the Mobile Home Park to read “Sunny Oaks Mobile Home Park” not “Los Osos Oaks Mobile Home Park.” Further, RESOLUTION NO. 2014-51, a resolution approving and authorizing submittal of the urban County of San Luis Obispo Program Year 2014 Action Plan under the County of San Luis Obispo’s 2010 Consolidated Plan for the Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), and Emergency Solutions Grants (ESG) Programs, adopted as amended.

**Motion by:** Debbie Arnold  
**Second by:** Caren Ray

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Chairperson)	x			
Mecham, Frank R. (Vice Chairperson)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

**Closed Session Items:**

24. The Board announces they will be going into Closed Session regarding:
- I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a).) (Formally initiated) 1. Steinbeck, et al. v. County of San Luis Obispo, et al.; 2. Paso Robles Water Integrity Network v. County of San Luis Obispo, et al.; 3. Coast National Bank v. County of San Luis Obispo.
- II. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator Tami Douglas-Schatz concerning the following: Name of employee organizations are: 4. SLOGAU; 5. SLOCEA-Trades and Crafts; 6. DCCA.

**Chairperson Gibson:** opens the floor to public comment without response.

**(SUPERVISOR HILL IS NOW PRESENT.)**

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: no report required as no final action was taken and the Board goes into Open Public Session.

**Presentations:**

25. Presentation of annual report by the Commission on the Status of Women. All Districts.
- Ms. Consuelo Meux – Commission on the State of Women Chairperson: gives the presentation.
- The Board receives and files the report.
26. Submittal of resolutions recognizing County employees for 30 years of service. All Districts.
- Mr. Robert Armentrout and Mr. Robert Eckman – General Services Agency; Ms. Linda Benfield - Auditor-Controller/Treasurer-Tax Collector; and Ms. Kami Griffin –Planning and Building: receive their 30 year service award, with each Department Head speaking to their history with the County.

**RESOLUTION NO. 2014-52, a resolution commending Robert Armentrout in recognition of thirty years of service with San Luis Obispo County; RESOLUTION NO. 2014-53, a resolution commending Linda Benfield in recognition of thirty years of service with San Luis Obispo County; RESOLUTION NO. 2014-54, a resolution commending Robert Eckman in recognition of thirty years of service with San Luis Obispo County; and RESOLUTION NO. 2014-55, a resolution recognizing Kami Griffin for 30 years of service to the residents of the County of San Luis Obispo, adopted.**

**Motion by:** Frank R. Mecham  
**Second by:** Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Chairperson)	x			
Mecham, Frank R. (Vice Chairperson)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

**Board Business:**

- 27.** Request to approve a resolution (continued from February 11, 2014) that establishes an Approved Water Conservation Program for new development in the Paso Robles Groundwater Basin, thereby implementing a portion of Ordinance 3246, an urgency ordinance covering new development and new irrigated crop production overlying the Paso Robles Groundwater Basin; California Environmental Quality Act (CEQA) Exemptions Sections 15301, 15307, 15308. This item has been amended to include revisions to the February 11, 2014, staff report and a revised resolution. Districts 1 and 5.

**Chairperson Gibson:** opens the floor to public comment.

**Supervisor Arnold:** requests the sunset date of August 26, 2015 be added to the resolution.

**Ms. Jeannette Watson; Mr. Greg Grewall; Mr. Mike Brown – Coalition of Labor, Agriculture and Business (COLAB); Mr. Gary Kirkland; Mr. Richard Margetson; Ms. Andrea Seastrand; and Mr. Hank Hohenstein:** speak.

**Board Members and staff:** discuss potential changes to resolution.

**The Board amends the resolution by replacing the language above No. 1 to read “For purposes of implementing Ordinance 3246, the Approved County Water Conservation Program for new development shall operate through August 26, 2015 as follows:”; and by replacing the second to last sentence in No. 8 to read “If greater or lesser amounts of landscaping or outdoor water use is proposed, additional or fewer offsets will be required accordingly.” Further, RESOLUTION NO. 2014-56, a resolution adopting an approved County Water Conservation Program for new development in order to grant offset clearances under Ordinance No. 3246, adopted as amended.**

**Motion by:** Debbie Arnold  
**Second by:** Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Chairperson)	x			
Mecham, Frank R. (Vice Chairperson)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the

meeting held Tuesday, February 25, 2014, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

**JULIE L RODEWALD**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

**DATED:** February 26, 2014